

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-11 will be pending. By this amendment claims 1-7 have been amended, and claims 8-11 have been added. No new matter has been added.

§102 Rejection of Claims 1-7

In the Office Action, the Examiner has rejected claims 1-7 under 35 U.S.C. §102(e) as being anticipated by Stahl (U.S. Patent No. 6,665,020).

The data transmitting method of claim 1, as presented herein, include a step for “transmitting a notification from a first device to a second device to mount a connection management function from a plurality of connection management functions, said notification including a command set needed to manage data transmission between the transmitting device and the receiving device, when the first device for carrying out connection management for data transmission between the transmitting device and the receiving device does not mount a corresponding connection management function.” Thus by providing an alternative control device that can mount a connection management function, the steps of the data transmitting method provide an effective connection management of transmitting and receiving devices connected to a predetermined network. The support for the notification signal using a command set can be found on page 11, lines 11-25 of the Specification.

Stahl fails to teach or suggest transmitting a notification from a first device to a second device to mount a connection management function from a plurality of connection management functions, said notification including a command set needed to manage data transmission

between the transmitting device and the receiving device, when the first device for carrying out connection management for data transmission between the transmitting device and the receiving device does not mount a corresponding connection management function. Accordingly, it is submitted that stahl fails to teach or suggest the method disclosed in claim 1. Since claims 2-3 depend from claim 1, and thus include all the limitations of claim 1, claims 2-3 should be allowable. Since claims 4 and 6 are system and device claims that closely parallel method claim 1, claims 4 and 6 should be allowable. Since claims 5 and 7 depend from claims 4 and 6, respectively, and thus include all the limitations of claims 4 and 6, claims 5 and 7 should also be allowable.

Based on the foregoing discussion, it is submitted that claims 1-7 are not anticipated by the teachings of Stahl. Accordingly, it is submitted that the Examiner's rejection of claims 1-7 based upon 35 U.S.C. §102(e) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Newly-added Claims 8-11

Newly-added claims 8-11 depend from claim 4. Therefore, claims 8-11 should be allowable over Stahl.

CONCLUSION

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-11, is respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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